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CISCO WEBEX LLC

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE COURTHOUSE**

ML, INC.,) Case No. 5:13-CV-04987-BLF-PSG
Plaintiff,)
v.)
CISCO WEBEX LLC.)
Defendant.)

) NOTICE OF SETTLEMENT AND
) STIPULATION AND [PROPOSED]
) ORDER VACATING PENDING DATES

The Parties hereby notify the Court that this matter has settled, that they are in the process of finalizing settlement documentation, and thereafter will seek dismissal of this case with prejudice.

WHEREAS, Defendant Cisco WebEx LLC (“WebEx”) filed its Motion to Dismiss the Second Amended Complaint (“Motion to Dismiss,” Docket Entry No. 63) on June 27, 2014;

WHEREAS, WebEx noticed the Motion to Dismiss for August 14, 2014;

WHEREAS, Plaintiff ML, Inc.'s deadline to oppose the Motion to Dismiss is July 11, 2014;

WHEREAS, the Court ordered the Parties to complete ADR by July 30, 2014 (DE 62);

WHEREAS, each of the following is rendered unnecessary because the parties have settled:

WHEREAS, each of the following is rendered unnecessary because the parties have settled:
(1) further briefing on the Motion to Dismiss; (2) a hearing on the Motion to Dismiss; and (3)
completion of ADR;

THEREFORE IT IS STIPULATED AND HEREBY AGREED:

1. The July 11, 2014 deadline for filing an opposition to WebEx's Motion to Dismiss (DE 63) should be vacated.

2. The July 30, 2014 deadline for completing ADR (as set by order in DE 62) should be vacated.

3. The August 14, 2014 hearing date for WebEx's Motion to Dismiss (DE 63) should be vacated.

Dated: July 11, 2014

WINSTON & STRAWN LLP

By: /s/ Krista M. Enns
Krista M. Enns
Yelitza V. Dunham
Scotia J. Hicks
Attorneys for Defendant
CISCO WEBEX LLC

Dated: July 11, 2014

BALLOON STOLL BADER & NADLER, P.C.

By: /s/ Evan E. Richards
Marshall B. Bellovin
Evan E. Richards
Attorneys for Plaintiff
ML, INC.

LOCAL RULE 5-1 ATTESTATION

I, Krista M. Enns, am the ECF User whose ID and password was used to file this NOTICE OF SETTLEMENT AND STIPULATION AND [PROPOSED] ORDER VACATING DATES . In compliance with Local Rule 5-1(i)(3), I hereby attest that Evan E. Richards, counsel for Plaintiff, concurred in this filing.

Dated: July 11, 2014

By: /s/ Krista M. Enns
Krista M. Enns

PURSUANT TO STIPULATION, IT IS SO ORDERED.

The July 11, 2014 deadline to respond to Defendant's Motion to Dismiss, the August 14, 2014 hearing on Defendant's Motion to Dismiss, and the July 30, 2014 deadline to complete ADR are all hereby VACATED pursuant to the parties' stipulation.

The Case Management Conference in this case remains scheduled for August 14, 2014 at 1:30 p.m. in Courtroom 3, 5th Floor, San Jose Courthouse. On or before August 7, 2014, the parties shall file a stipulation of dismissal or a joint case management conference statement.

IT IS SO ORDERED.

Dated: July 16, 2014

Beth Labson Freeman
BETH LABSON FREEMAN
United States District Judge